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SANITARY LEGISLATION.

MUNICIPAL ORDINANCES, RULES. AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

BEAUMONT, TEX.

Foodstuffs—Adulteration and Misbranding—Manufacture, Care, and Sale. (Ord. Dec. 2, 1914.)

SECTION 1. That no person, firm, or corporation shall within this city manufacture for sale, have in his possession with intent to sell, offer or expose for sale, or sell or exchange any article of food which is adulterated or misbranded within the meaning of this act. The term "food" as used herein shall include all articles used by man as food, drink, flavoring, confectionery, or condiment, whether simple, mixed, or compound.

SEC. 2. That for the purposes of this act food shall be deemed to be adulterated: (1) If any substance had been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength; (2) if any substance has been substituted wholly or in part for the article; (3) if any valuable constituent of the article has been wholly or in part abstracted, or if the product be below that standard of quality, quantity, strength, or purity represented to the purchaser or consumer; (4) if it be mixed, colored or powdered, coated or stained in a manner whereby damage or inferiority is concealed; (5) if it contain any added poisonous or other added deleterious ingredient which may render such article injurious to health: *Provided*, That when in the preparation of food products for shipment they are preserved by any external application applied in such manner that the preservative is necessarily removed mechanically or by maceration in water or otherwise, and directions for the removal of such preservative shall be printed on the covering of the package. The provisions of this act shall be construed as applying only when said products are ready for consumption; (6) if it consists in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal or vegetable unfit for food, whether manufactured or not, or if it is the product animal, or one that has died otherwise than by slaughter. For the purpose of this act, the term "filthy" shall be deemed to apply to food not securely protected from flies, dust, dirt, and as far as it may be necessary by all reasonable means from all foreign or injurious contaminations.

SEC. 3. That the term "misbranded" as used herein shall apply to all articles of food or articles which enter into the composition of food, the package or label of which shall bear any statement, design, or device regarding such article or the ingredients or substances contained therein shall be false or misleading in any particular. That for the purpose of this act food shall also be deemed to be misbranded: (1) If it be an imitation of or offered for sale under the distinctive name of another article; (2) if it be labeled or branded so as to deceive or mislead the purchaser or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package, or if it fail to bear a statement on the label of the quantity or proportion

of morphine, opium, cocaine, heroin, alpha or beta eucaine, phenacetine, chloroform, cannabis indica, chloral hydrate, or acetanilid, or any derivative or preparation of such substance contained therein; (3) if in package form and the contents are stated in terms of weight or measure, they are not plainly and correctly stated on the outside of the package; (4) if the package containing it or its labels bear any statement, design, or device regarding the ingredients or the substances contained therein, which statement, design, or device shall be false or misleading in any particular: *Provided*, That any article of food which does not contain any added poisonous or deleterious ingredient shall not be deemed to be adulterated or misbranded in the following cases: First, in the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food under their own distinctive names, and not an imitation of or offered for sale under the distinctive name of another article, if the name be accompanied on the same label or brand with a statement of the place where said article has been manufactured or produced; second, in the case of articles labeled, branded, or tagged so as to plainly indicate that they are compounds, imitations, or blends; that the term "blend" as used herein shall be construed to mean a mixture of like substances, not excluding harmless coloring or flavoring ingredients used for the purpose of coloring and flavoring only: *And provided further*, That nothing in this act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods which contain no unwholesome added ingredients to disclose their trade formulas except in so far as the provisions of this act may require to secure freedom from adulteration and misbranding.

SEC. 4. It shall be unlawful for any person to manufacture, sell, offer or expose for sale or exchange any article of food to which has been added formaldehyde, boric acid or borates, benzoic acid or benzoates, sulphurous acid or sulphites, salicylic acid or salicylates, abraltal, beta naphthols, flourine compounds, dulcin, glucin, cocaine, sulphuric acid or other mineral acids, except phosphoric acid, any preparation of lead or copper or other ingredient injurious to health: *Provided*, That nothing in this act shall be construed as prohibiting the sale of catsups, sauces, concentrated fruits, fruit juices, and like substances preserved with one-tenth of 1 per cent of sodium benzoate, or the equivalent benzoic acid, when a statement of such fact is plainly indicated upon the label: *Provided further*, That the oxides of sulphur may be used for bleaching, clarifying, and refining food products.

SEC. 5. It shall be unlawful for any person, firm, or corporation to conduct, within the city of Beaumont, any grocery, bakery, confectionery, market, restaurant, hotel, or eating house, or any place where foods for the consumption of human beings are manufactured for sale, possessed with the intent to sell, offered or exposed for sale, unless said place is equipped with well-fitting screens of not less than 14-mesh wire and kept in a sanitary condition satisfactory to the board of health.

SEC. 6. All meats, game, fish, vegetables, fruit, prepared food products, and candies exposed for sale in open receptacles or broken packages shall be kept not less than 2 feet above the floor of the building, shop, booth, or place where they are so exposed, and shall be protected in such manner as to prevent dust, flies, and insects from coming in contact with them. Cut fresh meat, fresh fish, and all fresh fruit (except oranges, lemons, grapefruit, bananas, and melons) exposed for sale shall be kept in properly ventilated cases or receptacles having glass tops. All cooked and uncooked food displayed by restaurants, hotels, or eating houses shall be protected from dust, flies, and other insects with appropriate glass coverings. All foods consumed without peeling, cooking, or washing, peddled from wagons, shall be protected from dust, flies, and other insects with appropriate coverings—glass, if displayed.

SEC. 7. Whoever shall do any of the acts or things prohibited, or willfully neglect or refuse to do any of the acts or things enjoined by this act, or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$25 nor more than \$200.